

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

UNITED STATES OF AMERICA )

v. )

MARSHAWN LYTLE )

No. 3:05-00147

Judge Haynes

DEFENDANT'S MOTION TO WITHDRAW PENDING MOTIONS

Marshawn Lytle, by and through counsel, hereby moves this Honorable Court for permission to withdraw his pending Motion to Dismiss and his pending Motion *In Limine*, as follows:

1. Mr. Lytle has filed a Motion to Dismiss (Document 141) and a Motion *In Limine* (Document 135). Since the filing of those motions, the parties have reached an agreement which will avoid the necessity of a trial.

2. Mr. Lytle has filed a Motion to Set a Change of Plea Hearing and has asked that the hearing be set on or after February 11, 2013, a date which would be after the current trial date of February 5, 2013.

3. In light of the anticipated change of plea hearing, he requests permission to withdraw the pending motions so that the government will have no need to file responses thereto at this time.

Respectfully submitted,

s/Kathleen G. Morris

Kathleen G. Morris

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